

RESOLUTION BY  
CITY UTILITIES COMMITTEE

00- *R*-1788

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT FOR FC-7191-00, PEACHTREE CREEK INTERCEPTOR RELIEF SEWER WITH W.L. HAILEY & COMPANY, INC., IN AN AMOUNT NOT TO EXCEED SIX MILLION FIVE HUNDRED FIVE THOUSAND DOLLARS AND NO CENTS (\$6,505,000.00). ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBERS: 2J26 573001 M24I02289999.

WHEREAS, the City of Atlanta did advertise for bids for FC-7191-00, Peachtree Creek Interceptor Relief Sewer on behalf of the Department of Public Works; and

WHEREAS, the Commissioner of the Department of Public Works and the Director of the Bureau of Purchasing and Real Estate have recommended that the contract for FC-7191-00, Peachtree Creek Interceptor Relief Sewer be awarded to the lowest responsive and responsible bidder, W.L. Hailey & Company, Inc., in an amount not to exceed Six Million Five Hundred Five Thousand Dollars and No Cents (\$6,505,000); and

WHEREAS, the Commissioner of the Department of Public Works has determined it to be in the best interest of the City to accept the bid amount of \$6,505,000.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor be and is hereby authorized to enter into an appropriate contractual agreement for FC-7191-00, Peachtree Creek Interceptor Relief Sewer with W.L. Hailey & Company, Inc., in an amount not to exceed Six Million Five Hundred Five Thousand Dollars and No Cents (\$6,505,000.00); and

BE IT FURTHER RESOLVED, that the Director of the Bureau of Purchasing and Real Estate be and is hereby directed to prepare an appropriate contractual agreement to be approved by the City Attorney as to form for execution by the Mayor.

BE IT FURTHER RESOLVED, that this contractual agreement shall not become binding on the City, and the City shall incur no liability upon same until such contract has been executed by the Mayor and delivered to the contracting party.

BE IT FINALLY RESOLVED, that all services for said contracted work shall be charged to and paid from fund, account and center number: 2J26 573001 M24I02289999.

bpre 102500



## CITY OF ATLANTA

68 MITCHELL ST. SW, ATLANTA, GEORGIA 30335-0324  
SUITE 4700, CITY HALL - SOUTH  
(404) 330-6240  
FAX (404) 658-7552  
email: publicworks@atlanta.org

BILL CAMPBELL  
MAYOR

DEPARTMENT OF PUBLIC WORKS  
Norman A. Koplon, P.E.  
Interim Commissioner  
David Peters, P.E.  
Acting Deputy Commissioner

September 28, 2000

### MEMORANDUM

To: Felicia Strong-Whitaker, Director  
Bureau of Purchasing and Real Estate

Fr: Ladun Esan, P.E., Infrastructure Manager  
Department of Public Works

RE: Peachtree Creek Interceptor Relief Sewer  
FC-7191-00

The selection process for contractual services has been completed for subject project and we are recommending award to the low bidder W.L. Hailey, Inc. as the most responsive and responsible bidder.

The Peachtree Creek Interceptor Relief Sewer is a sanitary sewer system improvement project located on the east side of Atlanta, adjacent to Dekalb County. The project begins at the confluence of Clear Creek and Peachtree Creek and generally proceeds southward through the Armour Industrial Park, across the I-85 corridor and through the western edge of the Ansley Golf course to near the intersection of Beverly Road and Montgomery Ferry Drive. The project generally includes the construction of 4,500 lineal feet of 54-inch diameter sewer pipe, 1,700 lineal feet of tunnel (approximately 6-feet in diameter) and 54-inch diameter sewer pipe, the construction of two diversion structures, to regulate flows, and associated manholes and appurtenances. The purpose of these improvements is to provide additional sewage carrying capacity in the area and to allow for inspection and rehabilitation of the existing Peachtree Creek Interceptor sewer main.

The Department of Public Works has determined it is in the best interest of the City to accept the bid in an amount not to exceed \$6,505,000.00. Attached are the evaluation breakdown for all proponents.

If additional information is needed, please advise.

Attachments:

Cc: Norman Koplon, P.E., DPW  
David Peters, P.E., DPW  
John W. Griffin, DPW  
Ade Abon, P.E.  
Willie Canidate, DPW  
Pamela Lewis, BPPE

Susan Bronston Sullivan, OCC  
Bruce T. Bell, OCC  
Tarik Bezuneh, DOF  
Eskender Abebe, CH2M Hill/TOC, JV  
File

**BUREAU OF PURCHASING AND REAL ESTATE  
LEGISLATION SUMMARY**

**TO:** CITY UTILITIES COMMITTEE

**CAPTION:** A resolution authorizing the Mayor to enter into an appropriate contractual agreement with W.L. Hailey & Company, Inc., for FC-7191-00, Peachtree Creek Interceptor Relief Sewer in an amount not to exceed Six Million Five Hundred Five Thousand Dollars and No Cents (\$6,505,000.00). All contracted work shall be charged to and paid from fund, account, and center numbers: 2J21 573001 M24I02289999.

**REQUESTING DEPARTMENT:** Department of Public Works

**CONTRACT TYPE:** Construction

**SOURCE SELECTION:** Competitive Sealed Bid

**BID OPENING:** September 20, 2000

**INVITATIONS ISSUED:** 111

**BIDS RECEIVED:** 7

**BIDDERS:** W.L. Hailey & Company, Inc. – Vice President – Andrew C. Swank  
Bid Amount - \$6,505,000.00  
Ruby- Collins, Inc. - \$6,653,980.00  
Thaile Construction Company, Inc. - \$7,159,860.00  
John D. Stevens, Inc. - \$7,269,028.30  
Site Engineering, Inc. - \$7,304,740.00  
Gilbert Southern Corporation - \$9,881,225.00  
Rockdale Pipeline, Inc. - \$11,134,312.10

**BACKGROUND:** Improvements to the Peachtree Creek sanitary sewer system to provide additional sewage carrying capacity in the area and to allow for inspection and rehabilitation of the existing Peachtree Creek Interceptor sewer main.

**SOURCE OF FUNDING:** Bond Fund

**EVALUATION TEAM COMPOSITION:** DPW, BPRE, OCC

**Department of Public Works  
Bid Recommendation**

**To:** Ms. Felicia Strong-Whitaker, Director  
Bureau of Purchasing and Real Estate

**From:** Mr. Ladun Esan, P.E.  
Infrastructure Planning Group, Administrator *(Signature)*

I Concur in the following recommendation for award:

*(Signature)*  
Infrastructure Program Administrator

*(Signature)*  
Civil Engineer, Chief

*(Signature)*  
Eslander Mabele

Project Manager, CH2MHill/TOC, Inc. Joint Venture

**Installation:**

Peachtree Creek Interceptor  
Relief Sewer

**Bid and FC #:**

7191-00

**Estimated Cost:**

\$7,667,940.00

**# of Bids Rec'd:**

Seven (7)

**Account Number:**

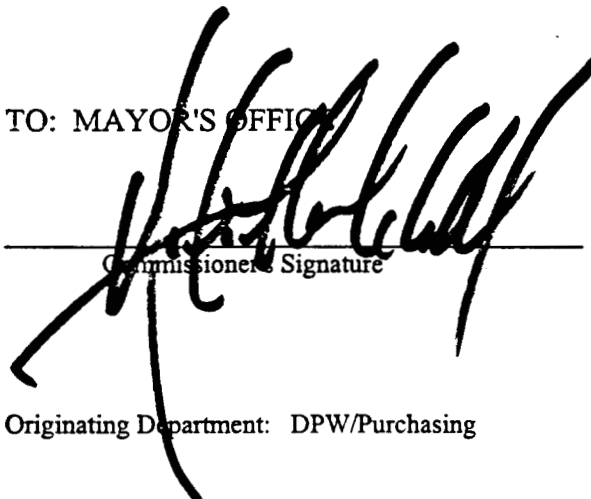
Bid No.	Bidder's Name	Bid Amount (Submitted)	Bid Amount (Corrected)	\$ Over Estimated Cost	\$ Under Estimated Cost	Complied w/ Specifications & Drawings	Deviation from Specs./Drawings or any specific conditions by bidder	Recommendation and Remarks
1	W.L. Hailey	\$ 6,505,001.49	\$ 6,505,000.00	N/A	\$ 1,162,940.00	Yes	None	Recommend low bid for Award
2	Ruby-Collins, Inc.	\$ 6,653,980.00	\$ 6,653,980.00	N/A	\$ 1,013,960.00	Yes	None	2nd low bidder
3	Thalle Construction Co., Inc.	\$ 7,159,860.00	\$ 7,159,860.00	N/A	\$ 508,080.00	Yes	None	3rd low bidder
4	John D. Stevens, Inc.	\$ 7,269,028.30	\$ 7,269,028.30	N/A	\$ 398,911.70	Yes	None	Do not recommend
5	Site Engineering	\$ 7,304,740.00	\$ 7,304,740.00	N/A	\$ 363,200.00	Yes	None	Do not recommend
6	Gilbert Southern Corp.	\$ 9,881,225.00	\$ 9,881,225.00	\$ 2,213,285.00		Yes	None	Do not recommend
7	Rockdale Pipeline	\$ 7,646,502.10	\$ 11,134,312.10	\$ 3,466,372.10		Yes	None	Do not recommend
	Engineer's Estimate		\$ 7,667,940.00					

2000  
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-4 PM 3:39

**TRANSMITTAL FORM FOR LEGISLATION  
PUBLIC IMPROVEMENT PROGRAM**

TO: MAYOR'S OFFICE

GREG PRIDGEON

  
\_\_\_\_\_  
Commissioner's Signature

  
\_\_\_\_\_  
Director's Signature

Originating Department: DPW/Purchasing

Contact Person: Pamela Lewis x 6379

Committee(s) of Purview: City Utilities  
Committee

Council Deadline: October 27, 2000

Committee Meeting Dates(s): November 14, 2000

Full Council Date: November 20, 2000

**CAPTION:  
BACKGROUND:**

TO AUTHORIZE THE MAYOR TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT WITH W.L. HAILEY & COMPANY, INC., FOR FC-7191-00, PEACHTREE CREEK INTERCEPTOR RELIEF SEWER IN AN AMOUNT NOT TO EXCEED SIX MILLION FIVE HUNDRED FIVE THOUSAND DOLLARS AND NO CENTS (\$6,505,000.00). ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM THE FOLLOWING FUND, ACCOUNT AND CENTER NUMBER: 2J26 573001 M24I02289999.

**FINANCIAL IMPACT (if any)**

**Mayor's Staff Only**

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Received by Mayor's Office: \_\_\_\_\_

(date)

Reviewed by: \_\_\_\_\_

initials)

(date)

Submitted to Council: \_\_\_\_\_

(date)

Action by Committee:

\_\_\_\_ Approved \_\_\_\_ Adverse \_\_\_\_ Held \_\_\_\_ Amended

\_\_\_\_ Substitute \_\_\_\_ Referred \_\_\_\_ Other



## CITY OF ATLANTA

**BILL CAMPBELL**  
MAYOR

OFFICE OF CONTRACT COMPLIANCE  
55 TRINITY AVENUE, S.W., SUITE 1700  
ATLANTA, GEORGIA 30335  
TEL (404) 330-6010  
FAX (404) 658-7359

**SUSAN M. BRONSTON**  
ACTING DIRECTOR

To: Felicia Strong-Whitaker, Director  
Bureau of Purchasing & Real Estate

From: Susan Bronston Sullivan, Interim Director *SB*  
Office of Contract Compliance

Date: October 24, 2000

RE: Recommendation for FC-7191-00, Peachtree Creek Interceptor  
Relief Sewer

2000 OCT 25 PM 4:35  
RECEIVED  
OFFICE OF CONTRACT COMPLIANCE

We are in receipt of four (4) bids for the above referenced project. The Office of Contract Compliance has carefully reviewed the bids to determine the bids' responsiveness. The review has been conducted in a manner consistent with the rulings of the U.S. Supreme Court and the 11th Circuit Court of Appeals. In accordance with the ruling in Engineering Contractors of South Florida v. Metropolitan Dade County, 122 F.3d 895, 926 (11th Cir. 1997), the City of Atlanta's Equal Business Opportunity Ordinance establishes aspirational goals for participation by firms owned and controlled by minorities and females and provides for the waiver of those goals in appropriate circumstances. Minority and female participation goals were set for this project. Where every goal was not met by a responsive bidder, adequate information was submitted by that bidder and a waiver was granted to comply with the courts' requirements that all goals be narrowly tailored for every project. Failure to provide for and to grant, where appropriate, waivers of minority and female participation goals would make the City of Atlanta's EBO program inconsistent with the line of cases beginning with the City of Richmond v. Croson, 488 U.S. (1989) and subject to challenge.

EBO Goals: 30% AABE, 3% FBE, 3% HBE, 1% ABE

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Felicia Strong-Whitaker  
October 24, 2000  
FC-7191-00

W.L. Hailey  
EBO Participation  
AABE.....35%  
FBE.....0%  
HBE.....0%  
ABE.....0%

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Responsive 35% Total

Thalle Construction Co.  
EBO Participation  
AABE.....42%  
FBE.....3%  
HBE.....0.4%  
ABE......0.1%

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Responsive 45.5% Total

Ruby Collins, Inc.  
EBO Participation  
AABE.....36%  
FBE.....0%  
HBE.....2%  
ABE.....0%

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Responsive 38% Total

John D. Stephen's, Inc.  
EBO Participation  
AABE.....45%  
FBE.....0%  
HBE.....0%  
ABE.....0%

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Responsive 45% Total

If you have any questions, please contact me at (404) 330-6010 or Bruce Bell at (404) 853-7507.

cc:

Pam Lewis, BPPE  
Bruce Bell, OCC